

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

EUGENE PETERS,

Plaintiff,

v.

GEICO ADVANTAGE INSURANCE  
COMPANY,

Defendant.

NO. 3:19-CV-1119

(JUDGE CAPUTO)

**ORDER**

**NOW**, this 14<sup>th</sup> day of August, 2019, **IT IS HEREBY ORDERED** that:

- (1) The Motion to Dismiss Count II of Plaintiff's Complaint(Doc. 2) filed by Defendant Geico Advantage Insurance Company is **GRANTED**.
- (2) Plaintiff's bad faith claim in Count II of the Complaint is **DISMISSED without prejudice** to Plaintiff filing an amended complaint within **twenty-one (21) days** from the date of entry of this Order to plead a plausible bad faith claim.
- (3) Failure to timely file an amended complaint will result in the dismissal of the bad faith claim **with prejudice**.

/s/ A. Richard Caputo  
A. Richard Caputo  
United States District Judge